UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/482,872	01/14/2000	Hitoshi Yanagawa	862-3206	7614

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EXAMINER
PHAM, THIERRY L

ART UNIT	PAPER NUMBER
2624	

DATE MAILED: 03/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

			Application No.		**Applicant(s)**	
Office Action Summary			09/482,872		YANAGAWA, HITOSHI	
			Examiner		**Art Unit**	
			Thierry L Pham		2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-31_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-31_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _5_.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-7, 10-14, 17-20, 22 are rejected under 35 U.S.C. 102(b) as being anticipated by

Lay et al (Pct Pub. W098/49012). An U.S. Patent No. 6185379, which is an English translation

of PCT W098/49012 is provided to applicants for a more detailed explanation.

Regarding claim 1, Lay discloses a communication system (Fig. 2) in which an image

forming apparatus (print system comprising a image forming apparatus and control unit, Fig. 2)

capable of forming images and a countermeasure specifying computer (control unit of Fig. 2

comprising a personal computer), which is capable of specifying a countermeasure when a

specific event has occurred in the image forming apparatus, are capable of being connected to

each other via a communication network, wherein said image forming apparatus includes:

(1) storage means (personal computer within a printer system comprising a memory device, col.

5, lines 45-52 of English translation) for classifying (classifying printer's errors, col. 2, lines 10-

49 of English translation) the specific event and determining a countermeasure specifying

computer which is capable of specifying a countermeasure (control unit provides a solution for

fixing a printer's errors, col. 2, lines 10-49 and col. 4, lines 6-59 of English translation) in

accordance with the classification of the specific event and storing identifying information which

identifies the countermeasure specifying computer when the specific event has occurred;

(2) sending means (serial databus, fig. 1, col. 4, lines 6-59 of English translation) for sending

specific-event information concerning the specific event to the countermeasure specifying

computer (control unit comprising a personal computer, figs. 1-3) that corresponds to the

identifying information of the countermeasure specifying computer stored by said storage means, the specific-event information being sent when the specific event has occurred; and

(3) answer display means (display unit 20, fig. 2, col. 4, lines 6-59 of English translation) for receiving and displaying an answer from said countermeasure specifying computer in response to the specific-event information sent by said sending means; and said

(4) countermeasure specifying computer includes specifying means for analyzing (error analyze sections 48 and 50, fig. 5, col. 5, lines 18-52 of English translation) the specific-event information from said image forming apparatus and specifying an answer (fig. 5).

Regarding claim 2, Lay further discloses the system according to claim 1, wherein said image forming apparatus further includes: a printer (printer, col. 4, lines 6-59 of English translation) for printing out input information; and a printer control computer (control unit comprising a personal computer, figs. 1-3, col. 4, lines 6-67 and col. 5, lines 1-62 of English translation) connected to said printer.

Regarding claim 3, Lay further discloses the system according to claim 2, wherein said printer control computer has countermeasure display means (display unit 20, figs. 2 and 4-5 of English translation) for analyzing the nature of a problem autonomously and displaying a countermeasure in a case where the problem can be eliminated by a simple operation performed by the operator (errors which can be eliminated by operator, abstract and col. 2, lines 10-67 of English translation).

Regarding claim 4, Lay further discloses the system according to claim 1, wherein the specific event is a printer problem (printer's errors, abstract and col. 4, lines 18-25 of English translation), said storage means is provided in the printer, and said sending means and said answer display means are provided in said printer control computer.

Regarding claim 5, Lay further discloses the system according to claim 4, wherein said printer control computer has countermeasure display means (display unit 20, figs. 2 and 4-5) for analyzing the nature of a problem automously and displaying a countermeasure in a case where

the problem can be eliminated by a simple operation performed by the operator (errors which can be eliminated by operator, abstract and col. 2, lines 10-67 of English translation).

Regarding claim 6, Lay further discloses the system according to claim 1, wherein said countermeasure specifying computer is a service depot computer (personal computer 22, col. 5, lines 8-62 of English translation).

Regarding claim 7, Lay further discloses the system according to claim 1, wherein said countermeasure specifying computer is a service is a service depot computer if the problem is one requiring maintenance by a serviceman and a customer support computer if the problem is one capable of being eliminated by operator endeavor without requiring assistance of a serviceman (control unit comprising a personal computer 22 which serves as service depot computer and customer support computer, abstract and col. 5, lines 1-62 of English translation).

Regarding claim 10, Lay further discloses a method of dealing with problems in a communication system printer system comprising a printer unit and control unit (fig. 1) in which an image forming apparatus capable of forming images and a countermeasure specifying computer, which is capable of specifying a countermeasure when a problem has occurred in the image forming apparatus, are capable of being connected to each other via a communication network, wherein:

Said image forming apparatus classifies (classifying printer's errors, col. 2, lines 10-49 of English translation) the problem, determines a countermeasure specifying computer (control unit of Fig. 2 comprising a personal computer) which is capable of specifying a countermeasure in accordance with the classification of the problem, stores identifying information which identifies the countermeasure specifying computer when the problem has occurred, sends the problems information concerning the problem to the countermeasure specifying computer that corresponds to the stored identifying information of the countermeasure specifying computer when the problem has occurred (control unit provides a solution for fixing a printer's errors, col. 2, lines 10-49 and col. 4, lines 6-59 of English translation), and receives and displays (display unit 20,

fig. 2, col. 4, lines 6-59 of English translation) an answer from said countermeasure specifying computer in response to the sent problem information; and

Said countermeasure specifying computer analyzes (error analyze sections 48 and 50, fig. 5, col. 5, lines 18-52 of English translation) the problem information from said image forming apparatus and sends back answer.

Regarding claim 11, Lay further discloses the method according to claim 10, wherein said image forming apparatus includes:

(1) a printer (printer, col. 4, lines 6-59 of English translation) for printing out input information; and

(2) a printer control computer (control unit comprising a personal computer, figs. 1-3, col. 4, lines 6-67 and col. 5, lines 1-62 of English translation) connected to said printer.

Regarding claim 12, Lay further discloses the method according to claim 11, wherein said printer control computer analyzes the nature of a problem autonomously and displays a countermeasure in a case where the problem can be eliminated by a simple operation performed by the operator (errors which can be eliminated by operator, abstract and col. 2, lines 10-67 of English translation).

Regarding claim 13, Lay further discloses the method according to claim 10, wherein said countermeasure specifying computer is a service depot computer (personal computer 22, col. 5, lines 8-62 of English translation).

Regarding claim 14, Lay further discloses the method according to claim 10, wherein said countermeasure specifying computer is a service depot computer if the problem is one requiring maintenance by a serviceman and a customer support computer if the problem is one capable of being eliminated by operator endeavor without requiring assistance of a serviceman

(control unit comprising a personal computer 22 which serves as service depot computer and customer support computer, abstract and col. 5, lines 1-62 of English translation).

Claim 17-20 corresponds to the method claim 10 except computer readable memory medium for storing program is claimed rather that printing system or data output apparatus. All computers have some type of computer readable memory medium (disk drives, memory, col. 4, lines 29-31) for storing computer programs, hence claims 17-20 would be rejected using the same rationale as in claim 10.

3.   Claims 23-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Sekizawa (U.S. 6430711).

Regarding claim 23, Sekizawa discloses a peripheral device connected to a host apparatus, comprising:

Storage means (RAM, Fig. 2) for storing information (printer IP address, Fig 17) on a plurality of parties (plurality of printers, fig. 1) to be connected through the Internet (Internet, fig. 1) corresponding to types of problems (printer's errors, Fig. 20);

Output means (plurality of printers, fig. 1) for selecting one of the plurality of parties to be connected through the Internet in accordance with the types of problems which correspond to the plurality of problems (plurality of printer's errors, fig. 20) that have occurred and outputting (output to the monitor, fig. 20) the stored information on the selected party to said host apparatus (computer, fig. 1).

Regarding claim 24, Sekizawa further discloses the peripheral device according to claim 23, wherein said peripheral device includes a printer, and said host apparatus includes a computer (fig. 1 shows both printers and computers).

Regarding claim 25, Sekizawa further discloses the peripheral device according to claim 23, wherein said output means outputs information indicative of the type of problem (type of printer's problems/errors, fig. 20).

Regarding claim 26, Sekizawa further discloses the peripheral device according to claim 23, wherein the problems include a problem which requires maintenance by a serviceman and a problem which can be eliminated by a user himself (Fig. 20 shows plurality of printer's errors/problems which include errors that can be eliminated by the operator and errors that must be eliminated by the serviceman; i.e., paper jam can be eliminated by operator; i.e., fatal error must be eliminated by serviceman, col. 5, lines 33-50).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102

of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject

matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art

to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 8, 15, 21, 27-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lay (PCT 98/49012) as applied to claim 1 above, and in view of Sekizawa (U.S. 6430711).

Regarding claims 8-9, 15-16, 21, Lay does not explicitly disclose wherein said communication network is the Internet communication network, and the identifying information of said countermeasure specifying is information on a party to be connected through the Internet.

Sekizawa, in the same field of endeavor for determining a printer's errors, discloses communication network is the Internet communication network (Fig. 1), and the identifying information of said countermeasure specifying is information (IP address, fig. 17) on a party to be connected through the Internet (it is known in the art that all printers and computers, each having its own IP address as an identification information).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Lay's invention as per teachings of Sekizawa because of a following reason:

(1) to reduce monitoring personnel and to provide high and better quality services for network users (Sekizawa, col. 4, lines 6-26); (2) : to provide a faster and better for handling printer's errors, and to reduce down times (Lay, col. 3, lines 4-14).

Therefore, it would have been obvious to combine Sekizawa with Lay to obtain the invention as specified in claims 8-9, 15-16, 21.

Regarding claim 27, Sekizawa discloses a host apparatus connected to a peripheral device, comprising:

Input means (mouse and keyboard, fig. 2) for inputting, from the peripheral device, information indicative of a plurality of a parties (plurality of printers are connected via Internet, fig. 1) to be connected through the Internet corresponding to a plurality of problems (plurality of printers' errors, fig. 20) that have occurred in said peripheral device; and

Display means (monitor, fig. 1, col. 5, lines 50-56 and col. 6, lines 49-63), which is connected to the Internet based upon information indicative of one of the plurality of parties to be connected through the Internet that has been input from said input means.

However, Sekizawa does not explicitly disclose wherein the display means for displaying a method of dealing with the corresponding problems.

Lay, in the same of endeavor for network printers, discloses the display means for displaying a method of dealing with the corresponding problems relating to printers (Fig. 5).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Sekizawa's invention as per teachings of Lay because of a following reason: (1) to reduce monitoring personnel and to provide high and better quality services for network users (col. 4, lines 6-26).

Therefore, it would have been obvious to combine Sekizawa with Lay to obtain the invention as specified in claim 27.

Regarding claim 28, Sekizawa further discloses the host apparatus according to claim 27, wherein said peripheral device includes a printer, and said host apparatus includes a computer (plurality of printers and computers, fig. 1).

Regarding claim 29, Sekizawa further discloses the host apparatus according to claim 27, wherein the problems include a problem which requires maintenance by a serviceman and a problem which can be eliminated by a user himself (Fig. 20 shows plurality of printer's errors/problems which include errors that can be eliminated by the operator and errors that must be eliminated by the serviceman; i.e., paper jam can be eliminated by operator; i.e., fatal error must be eliminated by serviceman, col. 5, lines 33-50).

Regarding claims 30-31, the limitations recite in claims 30-31 are similar to the limitations that are recited in claims 27; therefore, these claims are rejected for the same rationale/basis as described in claim 27 above.

Response to Argument

Applicant's arguments filed 12/15/03 have been fully considered but they are not persuasive.

Regarding claims 1, 10, 17, and 18, applicants argued the reference by Kidani does not teach "classifying a specific event that has occurred and determining a countermeasure specifying computer which is capable of specifying a countermeasure in accordance with the classification of the specific event".

In response: "classifying a specific event that has occurred and determining a countermeasure specifying computer which is capable of specifying a countermeasure in accordance with the classification of the specific event" were not previously recited in claims 1, 10, 17, and 18.

Regarding claim 23, applicants argued the applied reference does not teach "...plurality of parties to be connected through the Internet corresponding to types of problems".

In response: "...plurality of parties to be connected through the Internet corresponding to types of problems" was not previously recited in claim 23.

Regarding claim 27, applicants argued that applied reference does not teach "...plurality of parties to be connected through the Internet corresponding to a plurality of problems that have occurred in the peripheral device and display means, which is connected to the Internet based upon information indicative of one of the plurality of parties to be connected through the Internet that has been input, displays a method of dealing with the corresponding problems".

In response: "...plurality of parties to be connected through the Internet corresponding to a plurality of problems that have occurred in the peripheral device and display means, which is connected to the Internet based upon information indicative of one of the plurality of parties to be connected through the Internet that has been input, displays a method of dealing with the corresponding problems" were not previously recited in claim 27.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L Pham whose telephone number is (703) 305-1897. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K Moore can be reached on (703)308-7452. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thierry Pham

February 23, 2004

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